REMARKS

By the present response, Applicant has amended claims 1, 15, 23 and 26 to further clarify the invention. Claims 1-26 remain pending in the present application.

In the Office Action dated October 7, 2005, the Examiner has rejected claims 1-7, 11-15, 21, 22 and 26 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,308,061 (Criss et al.). Claims 8-10 and 16-20 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Criss et al. in view of U.S. Patent No. 5,210,751 (Onoe et al.). Claims 23-25 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Criss et al. in view of U.S. Patent No. 5,544,223 (Robbins et al.).

35 U.S.C §102 Rejections

Claims 1-7, 11-15, 21-22 and 26 have been rejected under 35 U.S.C §102(e) as being anticipated by Criss et al. Applicant respectfully traverses these rejections.

Criss et al. discloses a wireless communication system that includes a system backbone, a host computer coupled to the system backbone, at least one base station coupled to the system backbone, the at least one base station including a base station transceiver for communicating wirelessly with mobile devices within the system, and at least one mobile device having a mobile device transceiver for communicating wirelessly with the host computer on the system backbone via the at least one base station. The at least one mobile device includes a software update

schedule table for providing one or more times at which the mobile device is to inquire and obtain available software upgrades.

Regarding claims 1, 15 and 26, Applicant submits that Criss et al. does not disclose or suggest the limitations in the combination of each of these claims. For example, the Examiner asserts that Criss et al. discloses downloading the information to at least one mobile station through a paging channel, in column 1, lines 23-34. However, these portions of Criss et al. merely disclose that the mobile terminal transmits the file request packet to the host computer and in response the host computer forms a file packet which is transmitted back to the mobile terminal, stored, and used in the operations of the mobile terminal, and then the mobile terminal generates and transmits another file request packet requesting the next file included in the list of file names to be downloaded. This is not downloading the information to at least one mobile station through a paging channel, as recited in the claims of the present application. Criss et al. does not disclose or suggest anything related to transmitting information to a mobile station through a paging channel. These portions of Criss et al. merely disclose that in response to each file request packet from the mobile terminal to the host computer, the next file included in the list of file names is transmitted to the mobile computer. Further, in contrast to the Examiner's assertion, the mere fact that a file is transmitted as a message does not disclose or suggest a paging channel.

The Examiner further asserts that Criss et al. discloses resetting the at least one mobile station using the stored information, at column 14, lines 55-60. However, these portions of Criss et al. merely disclose that the processor within the mobile terminal initiates its own internal boot-up routine upon being powered up and/or reset as is conventional. These portions of Criss et al. do not disclose or suggest resetting the at least one mobile station using the stored information and reporting a downloading result from the at least one mobile station to the base station, as recited in the claims of the present application. These portions of Criss et al. merely disclose that after power-up or reset, the mobile terminal initiates its own internal boot-up routine. These portions do not disclose or suggest resetting the mobile terminal using the stored information downloaded through a paging channel. Further, Criss et al. does not disclose or suggest reporting a downloading result. The disclosure in Criss et al. of the terminal generating another file request packet is not reporting a downloading result, as is cited in the claims of the present application.

The Examiner further asserts that Criss et al. discloses storing the data messages in each of the distributed terminals, and where the common terminal communicates each of the data messages to all of the distributed terminals simultaneously through a shared communication channel, at column 13, lines 59-62, column 21, lines 23-34, and column 11, lines 46-52. However, these portions of Criss et al. merely disclose that a request is transmitted that the FTP server transfer the actual files so that it may be downloaded and stored in the mobile terminal and then the mobile terminal generates and transmits another file request packet, and that, as

noted previously, after each file packet is received the mobile terminal transmits another file request packet requesting the next file included in the list, and that an RF signal using spread spectrum techniques carries the information to the appropriate mobile terminal. This is not storing the data messages communicated from a common terminal to distributed terminals in each of the distributed terminals, as recited in the claims of the present application. Criss et al. relates to operations that occur between a single mobile device and a base station. Further, these portions do not disclose or suggest the common terminal communicating each of the data messages to all of the distributed terminals simultaneously through a shared communication channel. Criss et al. does not disclose or suggest data messages being simultaneously distributed to all terminals. Further, Criss et al. does disclose or suggest the simultaneous transfer of the data messages to all distributed terminals being through a shared communication channel.

Further, the Examiner asserts that Criss et al. discloses a first means for receiving program data through a paging channel at column 2, lines 51-54. However, these portions of Criss et al. merely disclose that software upgrades are wirelessly transmitted to a mobile device based on whether an upgrade is necessary. These portions of Criss do not disclose or suggest receiving program data through a paging channel, as recited in the claims of the present application. Criss et al. does not disclose or suggest how the software upgrades are wirelessly transmitted.

Further, the Examiner asserts that Criss et al. discloses a second means for changing a program of the subscriber unit based on the received program data, at column 8, lines 5-10. However, these portions of Criss et al. merely disclose that each mobile terminal includes a processor which can be programmed to control and operate the various components within the mobile terminal in order to carry out the various functions. These portions do not disclose or suggest changing a program of the subscriber unit based on the received program data, which has been received through a paging channel, as recited in the claims of the current application.

Regarding claims 2-7, 11-14, 21 and 22, Applicant submits that these claims are dependent on one of independent claims 1 and 15 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims. For example, Applicant submits that Criss et al. does not disclose or suggest communicating a downloading start message to a plurality of mobile stations through the paging channel at the same time and communicating a downloading response signal of the plurality of mobile stations to the base station controller, or where the at least one mobile station stores the downloaded data messages in a different memory position than that used to store an existing software and the base station resets the at least one mobile station using the stored data messages when the downloaded data messages are received with the normal state.

Accordingly, Applicant submits that Criss et al. does not disclose or suggest the limitations in the combination of each of claims 1-7, 11-15, 21, 22 and 26 of the present

application. Applicant respectfully requests that these rejections be withdrawn and that these

claims be allowed.

35 U.S.C §103 Rejections

Claims 8-10 and 16-20 have been rejected under 35 U.S.C §103(a) as being unpatentable

over Criss et al. in view of Onoe et al. Applicant respectfully traverses these rejections.

Onoe et al. discloses a signal transmission system where in a message transmitting station,

a signal to be transferred is divided into a plurality of time slots, an error correcting/detecting

code is added to each time slot, and a re-transmission sequence order number in unit of

messages, a re-transmission number and an address designating ID of a terminal device are

added to a specified time slot. Then, data of the time slots are transmitted from the message-

transmitting station to a message-receiving station where in the message-receiving station, it is

determined whether or not any order number is missing.

Applicant submits that claims 8-10 and 16-20 are dependent on one of independent

claims 1 and 15 and, therefore, are patentable at least for the same reasons noted previously

regarding these independent claims. Applicant submits that Onoe et al. does not overcome the

substantial defects noted previously regarding Criss et al. For example, Applicant submits that

none of the cited references disclose or suggest where the data messages are stored sequentially

with associated sequential numbers, except a data message received with an error is stored

without the associated sequential number, or where the data message received with the error is

identified by the corresponding one of the associated sequential numbers as being received with an abnormal state and is downloaded again.

Accordingly, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose suggest or render obvious the limitations in the combination of each of claims 8-10 and 16-20 of the present application. Applicant respectfully requests that these rejections be withdrawn and that these claims be allowed.

Claims 23-25 have been rejected under 35 U.S.C §103(a) as being unpatentable over Criss et al. in view of Robbins et al. Applicant respectfully traverses these rejections.

Robbins et al. discloses a method and apparatus for paging a concentrated subscriber system for wireless local loop within a cellular telephone system. Within a mobile telephone switching office, a visitor location register is generated in which a subscriber unit identification number for every subscriber unit registered within the area of coverage is stored along with corresponding telephone number and concentrated subscriber system (CSS) status information, and last cell site. When a call directed to a subscriber unit having a particular telephone number is received, the corresponding SUIN, CSS status information, and last cell site information of that subscriber unit are determined. A paging code is calculated depending on the resulting CSS status information of the subscriber unit being paged. Appropriate paging parameters are generated and the page message is then transmitted in accordance with those paging parameters.

Regarding claims 23 and 25, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of these claims of, *inter alia*, establishing a paging channel between a base station and a mobile station in a wireless loop system, or downloading program data in the wireless local loop system, or a transmission means for transmitting the queued broadcasting, reception and downloading messages through a paging channel of a wireless local loop system.

The Examiner asserts that Criss et al. discloses establishing a paging channel between a base station and a mobile station in a wireless loop system at column 21, lines 23-34. However, as noted previously, these portions of Criss et al. do not disclose or suggest a paging channel, or establishing a paging channel between a base station and a mobile station, as recited in the claims of the present application. The Examiner further asserts that Criss et al. discloses downloading program data in the wireless local loop system, at column 2, lines 51-54 with the disclosure of software upgrades. However, this is not downloading program data in the wireless local loop system using the paging channel as recited in the claims of the present application. Criss et al. does not disclose or suggest downloading data using a paging channel between a base station and a mobile station.

The Examiner further asserts that the limitations of a transmission means for transmitting the queued broadcasting, reception and downloading messages through a paging channel of a wireless local loop system, are disclosed in Criss et al. at column 21, lines 23-34. However, as

noted previously, Criss et al. does not disclose or suggest <u>downloading messages through a</u>

<u>paging channel</u> as recited in the claims of the current application. The Examiner admits that

Criss et al. does not disclose or suggest a paging channel being in a wireless local loop system but

asserts that this is well known in the art as taught by Robbins et al. at column 3, lines 20-25.

However, these portions of Robbins et al. merely disclose that Robbins' method and apparatus

for paging subscriber unit is described in the context of a CDMA cellular telephone system

which incorporates a method of paging having paging parameters. This is not <u>transmitting</u>

<u>queued broadcasting, reception, and downloading messages through a paging channel</u> of a local

wireless local loop system, as recited in the claims of the present application. The limitations in

the claims of the present application are not simply related to the concept of paging, but are

related to <u>downloading messages and information through a paging channel</u>.

Regarding claim 24, Applicant submits that this claim is dependent on independent claim

23 and, therefore, is patentable at least for the same reasons noted previously regarding this

independent claim. For example, Applicant submits that none of the cited references disclose or

suggest where the program data transmitted through the paging channel are received in at least

two mobile stations.

Accordingly, Applicant submits that none of the cited references, taken alone or in any

proper combination, disclose, suggest or render obvious the limitations in the combination of

each of claims 23-25 of the present application. Applicant respectfully requests that these rejections be withdrawn and that these claims be allowed.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant submits that claims 1-26 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned, Frederick D. Bailey, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is

hereby made. Please charge any shortage in fees due in connection with the filing of this,

concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and

please credit any excess fees to such deposit account.

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Respectfully submitted,
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